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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 JOSEPH PHILLIPS,) CASE NO. C08-1541-JCC-MAT
09 Plaintiff,)
10 v.) ORDER RE: MOTION FOR
11 OFFICER NOONAN, et al.,) APPOINTMENT OF COUNSEL
12 Defendants.)
13 _____)

14 Plaintiff Joseph Phillips proceeds *pro se* and *in forma pauperis* in this 42 U.S.C. § 1983
15 civil rights case. Plaintiff now requests appointment of counsel. (Dkt. 22.) Defendant James
16 Noonan opposes this motion. (Dkt. 25.) Having considered the documents filed in support of and
17 in opposition to the pending motion, as well as the remainder of the record, the Court does hereby
18 find and ORDER:

19 (1) There is no right to have counsel appointed in cases brought under § 1983.
20 Although the Court, under 28 U.S.C. § 1915(e)(1), can request counsel to represent a party
21 proceeding *in forma pauperis*, plaintiff has shown neither exceptional circumstances, nor an
22 inability to articulate his claims *pro se* that would warrant the appointment of counsel. *See*

01 *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986). Accordingly, plaintiff's motion for
02 appointment of counsel (Dkt. 22) is DENIED.

03 (2) The Clerk is directed to send copies of this Order to plaintiff, to defendants, and
04 to the Honorable John C. Coughenour.

05 DATED this 4th day of March, 2009.

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08 Mary Alice Theiler
09 United States Magistrate Judge
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